

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AMERICA'S TELE-NETWORK CORPORATION)
)
_____) CASE NO. 2000-217
)
ALLEGED VIOLATION OF KRS 278.535)

O R D E R

On October 12, 2000, America's Tele-Network Corporation ("ATN") filed a motion to consolidate the above-referenced case with Case No. 2000-421. In support of its motion, ATN claims that a total of 40 complaints will be addressed in the course of the rehearing in Case No. 2000-217, and that it would be efficient to hear these complaints with those already scheduled for Case No. 2000-421. ATN is in error.

In its Order granting ATN's petition for rehearing in this case, the Commission granted the petition for rehearing solely to consider the new arguments advanced by ATN in its petition. No definable benefit may be accrued by consolidating the cases.

In the same motion, ATN moves for leave to depose the customers whose complaints were the subject of the show cause Order in Case No. 2000-217 and for Commission issuance of subpoenas *duces tecum* to compel the customers' appearance at a "rehearing."

These motions are denied. ATN failed to appear at the 2000-217 hearing or timely to depose these witnesses. Although the Commission has stated its willingness

to consider the arguments made by ATN regarding Case No. 2000-217, it certainly has not set another evidentiary hearing in that case.

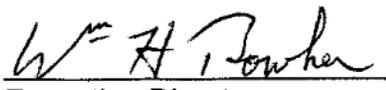
IT IS THEREFORE ORDERED that:

1. ATN's motion for consolidation is denied.
2. ATN's motion for issuance of subpoenas *duces tecum* is denied.
3. ATN's motion to depose the customers whose complaints are the basis of the show cause Order issued in this case is denied.

Done at Frankfort, Kentucky, this 26th day of October, 2000.

By the Commission

ATTEST:

Deputy 
Executive Director